

Introduced by Senator Liu

February 10, 2011

An act to amend Section 44663 of the Education Code, relating to certificated employees.

LEGISLATIVE COUNSEL'S DIGEST

SB 257, as amended, Liu. Certificated employees: evaluation and assessment.

Existing law requires the governing board of a school district to evaluate and assess the performance of certificated employees as it reasonably relates to the progress of pupils towards the standards of expected pupil achievement established by the governing board, the instructional techniques and strategies used by the employee, the employee's adherence to curricular objectives, and the establishment of a suitable learning environment. *Existing law requires that an evaluation and assessment made pursuant to these provisions be reduced to writing and a copy be transmitted to the certificated employee not later than 30 days before the last schoolday scheduled on the school calendar adopted by the governing board for the school year in which the evaluation takes place.*

~~This bill would state the intent of the Legislature to enact legislation relating to various issues concerning the evaluation and assessment of certificated employees.~~

Existing law requires that for a certificated noninstructional employee who is employed on a 12-month basis, a copy of this evaluation and assessment be transmitted to the employee no later than June 30 of the year in which the evaluation and assessment is made.

This bill would change this date from June 30 to July 1.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to enact
2 legislation that would address the following issues relating to the
3 evaluation and assessment of certificated employees:

4 (a) All aspects of teacher and *school* district effectiveness to
5 ensure that an overhaul of the state's current system is
6 comprehensive enough to attract, develop, retain, and support
7 effective teachers and administrators.

8 (b) The role of teachers, as well as teams of teachers,
9 administrators, and district systems that are responsible for creating
10 a high performing culture of learning.

11 (c) A fair and transparent assessment and evaluation system
12 that respects the confidentiality of individual performance
13 evaluations and due process.

14 (d) The use of successful and tested practices to set a foundation
15 for practical reforms that can be tailored to fit the needs of
16 California schools, recognizing the complexities of teaching and
17 school performance and the myriad issues that contribute to the
18 overarching goal of improving pupil achievement.

19 (e) Policy changes at the state level that allow for local flexibility
20 while ensuring access to programs and content that meet the needs
21 of all pupils in the state.

22 (f) The means by which various measures of accountability can
23 be incorporated into a support structure for the improvement of
24 teacher and *school* district effectiveness, including a clear and
25 improved method for dismissal of administrators and teachers who
26 do not make improvements or meet the expectations of the process.

27 (g) An evaluation and assessment system that assists teachers
28 in developing their skills and positively impacting ~~student~~ *pupil*
29 achievement, including a reasonable approach to including pupil
30 performance data, as well as pupil and parent feedback and peer
31 input.

32 (h) An evaluation and assessment system that allows for teacher
33 development activities that provide support structures and allow
34 teachers to grow throughout their careers.

1 (i) The role of administrators in effective teacher evaluation and
2 assessment, including, but not limited to, training in evaluation
3 methods and processes.

4 *SEC. 2. Section 44663 of the Education Code is amended to*
5 *read:*

6 44663. (a) Evaluation and assessment made pursuant to this
7 article shall be reduced to writing and a copy thereof shall be
8 transmitted to the certificated employee not later than 30 days
9 before the last schoolday scheduled on the school calendar adopted
10 by the governing board for the school year in which the evaluation
11 takes place. The certificated employee shall have the right to
12 initiate a written reaction or response to the evaluation. This
13 response shall become a permanent attachment to the employee's
14 personnel file. Before the last schoolday scheduled on the school
15 calendar adopted by the governing board for the school year, a
16 meeting shall be held between the certificated employee and the
17 evaluator to discuss the evaluation.

18 (b) In the case of a certificated noninstructional employee, who
19 is employed on a 12-month basis, the evaluation and assessment
20 made pursuant to this article shall be reduced to writing and a copy
21 thereof shall be transmitted to the certificated employee no later
22 than ~~June 30~~ *July 1* of the year in which the evaluation and
23 assessment is made. A certificated noninstructional employee, who
24 is employed on a 12-month basis, shall have the right to initiate a
25 written reaction or response to the evaluation. This response shall
26 become a permanent attachment to the employee's personnel file.
27 Before July 30 of the year in which the evaluation and assessment
28 takes place, a meeting shall be held between the certificated
29 employee and the evaluator to discuss the evaluation and
30 assessment.